United Nations A/C.1/54/PV.23

General Assembly
Fifty-fourth session
First Committee
23rd Meeting
Thursday, 4 November 1999, 10 a.m.
New York

Official Records

Chairman: Mr. González ..... (Chile)

The meeting was called to order at 10.20 a.m.

Organization of work

The Chairman (*spoke in Spanish*): Before proceeding, I would like, as Chairman, to make a general appeal to all delegations.

First, I think we all agree that each and every delegation present here has the same rights, which includes the right to information and therefore the right to study and evaluate the various events that transpire in the course of action on the various draft resolutions. Failing that, we might have situations in which only a small number of countries would be in a position to take a decision on a draft resolution in full knowledge of the facts and with all the necessary instructions. That is why I wish to make this very special appeal to all delegations to continue to cooperate with the Chair — as they said they would in their statements during the general debate, and as they have done so far very thoroughly.

I would like to avoid surprises so that all delegations have time to study properly the various draft resolutions. As all are aware, we are going into a more complex stage of our work, but all are also aware that the atmosphere is very good and that the Committee is displaying a very good willingness to work as a group, as can be seen in the way in which we have been handling our tasks in the First Committee so far.

As delegations were informed during the Committee's meeting on Tuesday, 2 November 1999, the Committee this morning will take action on draft resolutions appearing in informal paper No. 4/Rev.1.

An informal text of an amendment to draft resolution A/C.1/54/L.1/Rev.1, submitted by the delegation of France, has just come to the attention of the Chair, and I assume it has just come to the attention of delegations as well. Procedurally, of course, oral amendments can be made to draft resolutions, but for the sake of our working atmosphere and the substantive results we seek, we should not embark on procedural skirmishes. I, as Chairman, am not affected by this, but I believe it affects the rights of delegations that have fewer representatives and resources for requesting instructions. Obviously, the amendment deserves careful consideration, and careful consideration can be given only on the basis of an official United Nations document and through delegations' consultations with their Foreign Ministries.

I held some informal consultations before this meeting, and other delegations have conveyed the same message to me. I therefore ask the Committee not to take action on this draft resolution today, not to take action until all the required conditions are met. The Secretariat has told me that the document will be available as a formal document tomorrow morning, and we could take action on Monday.

Mr. Abdullayev (Russian Federation) (*spoke in Russian*): The sponsors of draft resolution A/C.1/54/L.1/Rev.1 are now engaged in active consultations that relate, *inter alia*, to new aspects of the French amendment. I should like to request you, Mr. Chairman, to return a bit later to the question of when we will be taking a decision on draft resolution A/C.1/54/L.1/Rev.1. In that connection, I propose that either we call a break, or we start work following the plan

00-39615 (E)

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that you have proposed, but leaving aside draft resolution A/C.1/54/L.1/Rev.1 and starting with draft resolution A/C.1/54/L.17 and those that follow. In any case, I think that in a few minutes there will be full clarity on when we will be able to take a decision on draft resolution A/C.1/54/L.1/Rev.1.

The Chairman (*spoke in Spanish*): I should like to restate that the essence of my proposal is the wish to provide enough time for everyone to acquaint themselves with the content of a draft resolution that is of great importance. In any case, I agree with the proposal just made, and if there is no objection we will move on to the following draft resolutions: in cluster 1, draft resolutions A/C.1/54/L.17, A/C.1/54/L.31/Rev.1, A/C.1/54/L.33, A/C.1/54/L.34, A/C.1/54/L.35 and A/C.1/54/L.43; in cluster 2, draft resolution A/C.1/54/L.19/Rev.1; and in cluster 4, draft resolutions A/C.1/54/L.25 and A/C.1/54/L.52. I see no objection.

It was so decided.

Agenda items 64, 65 and 67 to 85 *(continued)*

Introduction of revised draft resolutions

The Chairman (*spoke in Spanish*): If no delegations wish to make general statements on draft resolutions contained in cluster 1, I shall now call on those delegations wishing to introduce revised draft resolutions.

I call first on the representative of Egypt, who wishes to speak on a point of order.

Mr. Khairat (Egypt): I have just a brief question. If a delegation wishes to present a revised draft resolution, when can it do so?

The Chairman (*spoke in Spanish*): I call on the Secretary of the Committee to reply.

Mr. Lin Kuo-chung (Secretary of the Committee): With regard to a revised draft resolution, as soon as the official documents are issued, and provided 24 hours have elapsed, the Committee can act on it. For example, a revision issued yesterday can be acted upon today.

Mr. Khairat (Egypt): My question relates to the introduction of a revised draft resolution, not action on it. My delegation wants to know when it can introduce a revised draft resolution from the floor.

The Chairman (*spoke in Spanish*): At any time.

Mr. Čalovski (the former Yugoslav Republic of Macedonia): I am taking the floor to introduce draft resolution A/C.1/54/L.40/Rev.1, but before doing so I should like to take the opportunity to welcome your wise guidance, Mr. Chairman, concerning the future work of the Committee. Of course, my delegation will follow your guidance.

On behalf of the delegations listed in draft resolution A/C.1/54/L.40/Rev.1, and also on behalf of Ukraine, the United States of America, Croatia and the Czech Republic, I have the honour to introduce A/C.1/54/L.40/Rev.1 briefly and more technically.

Draft resolution A/C.1/54/L.40/Rev.1 has two important paragraphs, one of which is in the preambular part. There is a new ninth preambular paragraph, which reads as follows:

> "*Noting, inter alia,* the importance of the Process of Stability and Good-Neighbourliness in South-East Europe (Royamont initiative), the South-East European Cooperative Initiative, the South-East European Cooperation Process, the Central European Initiative and the Black Sea Economic Cooperation for the implementation of the Stability Pact of South-Eastern Europe".

This new preambular paragraph was inserted on the basis of intensive consultations and the wish of the sponsors to mention and underline the important initiatives in the Balkans which were taken before and which continue in South-Eastern Europe. In the context of this draft resolution, it was important to mention them as positive developments which I expect will have fruitful, positive results.

The second addition is the new operative paragraph 9, which reads as follows:

> "*Emphasizes* the importance of regional efforts in South-Eastern Europe on arms control, disarmament and confidence-building measures".

The aim of this paragraph is to strengthen all disarmament and confidence-building measures in South-Eastern Europe which are under way. In the context of this draft resolution, it is important to have them in mind because the achievement of the goals of this draft resolution cannot be

separated from efforts for disarmament and for undertaking various confidence-building and arms-control measures.

Without taking more of the Committee's time, I should like to express the opinion of the sponsors that the draft resolution is now complete and merits adoption by the Committee without a vote.

Before concluding, I should like to take this opportunity to thank most sincerely all sponsors and interested delegations that endeavoured to improve the original text, and I would also like to express the hope that the adoption of the draft resolution by the Committee, and later by the General Assembly, will be a positive action for our region.

Mr. Zimonyi (Hungary): Draft resolution A/C.1/54/L.19, on the biological and toxin weapons Convention, was introduced by my delegation on 22 October. At the request of one delegation, consultations have taken place since then with a view to accommodating its concerns in connection with operative paragraph 5. I am pleased to inform the Committee that these consultations have been conclusive and produced a mutually acceptable text. As a result, the phrase "as confirmed by the Fourth Review Conference" was added to the end of operative paragraph 5. With this minor amendment, the sponsors express the hope that draft resolution A/C.1/54/L.19/Rev.1 will be adopted without a vote.

Ms. Kunadi (India): The delegation of India has requested the floor to introduce revision 1 of draft resolution A/C.1/54/L.31, entitled "Reducing nuclear danger", which has been sponsored by Bhutan, Fiji, Kenya, Mauritius and the Sudan, as well as India.

Following consultations with delegations which had requested change in operative paragraph 4 to have more clarity, revision 1 was introduced on 2 November 1999. The only change is in operative paragraph 4, which in its revised version reads as follows:

> "*Requests* the Secretary-General, within existing resources, to seek inputs from the Advisory Board on Disarmament Matters on information with regard to specific measures that significantly reduce the risk of nuclear war and to report to the General Assembly at its fifty-fifth session".

Having taken on board the suggestions we have received from delegations, we hope that the Committee can proceed to take action on this draft resolution.

Mr. Khairat (Egypt) (*spoke in Arabic*): My delegation, on behalf of the States Members of the United Nations that are members of the League of Arab States, would like to introduce draft resolution A/C.1/54/L.8/Rev.1, entitled "The risk of nuclear proliferation in the Middle East", published as an official document yesterday. Following consultations on draft resolution A/C.1/54/L.8 with various interested delegations, this revised text, A/C.1/54/L.8/Rev.1, was submitted. The reference to nuclear materials in operative paragraph 1 has been deleted. As a result, the text is now in conformity with the text adopted last year by an absolute majority. We hope that draft resolution A/C.1/54/L.8/Rev.1 will be adopted this year by consensus, or at least by a majority larger than that by which the corresponding draft resolution was adopted last year.

Mr. Abdullayev (Russian Federation) (*spoke in Russian*): On behalf of the sponsors of draft resolution A/C.1/54/L.1/Rev.1, I would first like to thank all delegations for the patience and understanding they have shown in connection with the need to take more time than planned before the consideration of the draft resolution. I would now like to report that the sponsors are now ready for the draft resolution to be considered, and we request you, Mr. Chairman, to invite the Committee to consider draft resolution A/C.1/54/L.1/Rev.1.

Mr. Forquenot de la Forteile (France) (*spoke in French*): We submitted written amendments to draft resolution A/C.1/54/L.1/Rev.1 within the deadlines that you, Mr. Chairman, and the Secretary of the Committee laid down. We spoke to our Russian and Chinese friends earlier this morning. They would very much like the debate to take place today. After those consultations, I am not necessarily opposed to having the debate take place today if you, Mr. Chairman, believe that we could speed up the procedure this way.

However, since the amendments were distributed only a few minutes ago, I would wish to proceed, naturally, only if all the countries represented here clearly found themselves in a position to debate this draft resolution today. Before holding this debate, no delegation should feel the need to ask for more time to get instructions or to consult its capital. As you yourself said, Mr. Chairman, this is an important debate on an important subject. These are important amendments, and we therefore need to have consideration — and here I am more or less quoting you, Mr. Chairman — for all delegations, be they large or

small. This debate must take place in an atmosphere of order and not of confusion. We insist on that.

To sum up: I am ready to begin this debate on the condition that all countries here present agree that the debate is taking place in full clarity and with full information, not in confusion.

Mr. Salamanca Prado (Bolivia) (*spoke in Spanish*): We had clearly understood and agreed entirely with you, Mr. Chairman, when at the beginning of the discussion on cluster 1 you proposed that the amendments to the draft resolution be circulated so that delegations, such as mine, that are not in a position to decide on the spot on important amendments would have time to consult their capitals. That is why I suggest that we continue to act as you suggested at the beginning of the discussion on cluster 1.

Mr. De Icaza (Mexico) (*spoke in Spanish*): My delegation is confused. We have heard a great deal about debates on amendments and on draft resolutions. As I understand it, the debate wound up over a week ago. We are now in the stage of taking action on proposals, so now is the time for statements of a general nature, explanations of vote before the voting, explanations of vote after the voting. What we can no longer do is hold debates.

With regard to whether or not to take action on draft resolution A/C.1/54/L.1/Rev.1, the rules are straightforward: any delegation can ask for a postponement. If the sponsors do not agree to postpone action, a request for postponement is voted upon.

The Chairman (*spoke in Spanish*): I would like to express my agreement with what the delegations of Bolivia and Mexico have just said. To restate and clarify the position of the Chair, which is of course subject to what delegations decide: in respect of what Bolivia has said, the Chairman's proposal made at the beginning of the meeting was designed to protect to the utmost the rights of each and every delegation. I therefore understand very clearly the problems that a delegation such as Bolivia's might experience in terms of having to consult. But that is only the Chairman's position, which remains subject to the decision of delegations. I merely wish to emphasize that as Chairman my position has not changed.

As regards the comments made by the representative of Mexico, the time for debating has passed, and the Chair is completely aware of that fact. The representative of Mexico can rest assured that the only procedural matters can be taken up now are statements of a general nature on a given cluster, explanations of vote before the voting and explanations of vote after the voting. The time for general statements is over, I would be glad to see it was over for good so the First Committee could from here on out be taking action instead of making so many statements. In this session, the time for the general debate is well and truly over.

On the other hand, I understand what the representative of France wished to say. His name was on my list of speakers, and it is always an honour to hear what he has to say. He was referring to taking action.

Having now clarified the position of the Chair and the procedural rules that remain in force, I reiterate that the time for general statements is over, so I ask delegations not to ask to make general statements because the Chair will not entertain such requests.

I now call on the representative of the Russian Federation to speak on the matter before us.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): I do not need to repeat yet again what we are doing here. We understand that perfectly well. I thank you for giving me the floor even after you had already stated your view. You said earlier this morning that 24 hours would be required so that the French amendments could be issued in all languages, and then that another 24 hours would be required before they could be voted on. Your first prediction did not turn out to be correct, because the amendments have already been distributed in all languages and the Secretariat has once again demonstrated that it can indeed work efficiently. I do not know who told you about the need to wait 24 hours before our efficient colleagues in the Secretariat could distribute two lines in all the official languages. In that sense, we have already made great progress here, procedurally speaking. I am speaking, of course, only about procedure.

Secondly, when I proposed on behalf of the sponsors that we return to draft resolution A/C.1/54/L.1/Rev.1, it was with only one goal in mind, out of respect for the delegation of France which distributed its amendment. Now there is a need for those amendments to be introduced. Otherwise, tomorrow somebody could say that the amendments have not yet been introduced. Therefore, in terms of procedure, I am proposing that you, Mr. Chairman, invite the delegation of France to introduce the amendments contained in document A/C.1/54/L.56, and after that we can then set the vote for tomorrow. I hope

that my comments come within the framework of procedure and have not touched on the substance of the issue.

The Chairman (*spoke in Spanish*): What the representative of the Russian Federation has said provides a good solution. If I hear no objection, I shall ask the representative of France to introduce his amendment.

Mr. Forquenot de la Fortelle (France) (*spoke in French*): Indeed, it is a perfectly reasonable solution that the introduction be made today and that the vote take place tomorrow, which will allow delegations to see the text and, having heard what I have to say, to consult their capitals if necessary or give thought to their vote tomorrow. I shall therefore make this brief introduction; this is not a general statement.

It is very well known that certain recent events in the area of ballistic missile proliferation were the basis for the decision taken by certain States to plan for programmes of anti-ballistic national defence. France, for its part, is seriously concerned by such ballistic proliferation and is actively participating in all efforts to combat such tendencies. France believes, however, that projects for anti-missile defence of territory are not an appropriate response. France believes that the preservation of the Anti-Ballistic Missile (ABM) Treaty and of the strategic balances that the Treaty maintains is of the greatest importance. In our view, the risks of ballistic proliferation do not justify calling into question the ABM Treaty, which remains the cornerstone of strategic stability.

For that reason, we share the point of view that it is timely for the General Assembly to reaffirm its support for the ABM Treaty. The treatment of this important question by the General Assembly requires, however, the adoption of a comprehensive and balanced approach. Therefore, we must see to it that the General Assembly expresses in a single text its dedication both to the ABM Treaty and to the prevention of ballistic proliferation.

That is the thrust of the amendment in document A/C.1/54/L.56, which we are proposing that the First Committee adopt.

Mr. Baeidi-Nejad (Islamic Republic of Iran): I wish to comment on draft resolution A/C.1/54/L.1/Rev.1 and the amendment suggested by the French delegation. The Committee received the amendment today, so in the course of today and tomorrow we can have consultations on the draft amendment suggested by the French delegation.

We share the main thrust of the French amendment. However, we think there is some room for improving the amendment. I do not have any specific language for the time being. Of course, the proliferation of weapons of mass destruction and their means of delivery has always been of real concern to the international community. However, we think that new developments have occurred in the context of disarmament and the expression of concern at the continued possession of weapons of mass destruction, so we will be in contact with the French delegation and some of our Non-Aligned Movement (NAM) colleagues to see if there is room for improving the amendment. We hope that we can successfully conclude the consultations. Most probably, the draft resolution can be voted on during the course of today, or tomorrow as was suggested.

The Chairman (*spoke in Spanish*): I thank the delegation of the Islamic Republic of Iran for its constructive spirit of cooperation. Of course, you have every right to carry out consultations on improvements to draft amendments, just as any other delegation does.

The Chairman (*spoke in Spanish*): I now call on those delegations wishing to make general comments on cluster 1.

Mr. Mesdoua (Algeria) (*spoke in French*): On behalf of the African Group, I have the honour to make the following statement.

Africa attaches particular importance to the draft resolution contained in document A/C.1/54/L.17, entitled "The African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)". Africa has been submitting such draft resolutions to the Committee for several years now, and Africa deeply appreciates the fact that these drafts have always had the broadest possible support and have been adopted by consensus.

Since its signature on 11 April 1996, the Treaty of Pelindaba, which made Africa a nuclear-weapon-free zone, has enjoyed, and continues to enjoy, the support of the international community; the nuclear-weapon States signed the Protocols concerning them, and one of the nuclear-weapon States signed Protocol III. That is why Africa hopes to see the other States concerned that have not yet done so associate themselves with this broad movement of support.

As all delegations present here are aware, intensive consultations have taken place over the past few weeks to make it possible to achieve the broadest possible consensus,

not only on the text but also, above all, on all of its paragraphs. The African Group has tried everything — including deferring consideration of this item, which had initially been planned for last Monday, to today — in order to achieve general and complete agreement. Africa would have gladly asked for another postponement if it had seen the slightest sign of development of positions on this issue.

Despite the intensive efforts undertaken over the past few days it seems that one delegation, unfortunately, cannot join the consensus regarding operative paragraph 3, even though this paragraph is exactly the same as the paragraph in General Assembly resolution 52/46, adopted on 9 December 1997. The African Group believes that there is no major development justifying this position. Africa respects this position, but hopes that it will undergo positive development towards meeting the aspirations of the African States to make our continent, Africa, a zone that will be for ever free of nuclear weapons.

Mr. Khairat (Egypt): I want to make general statement on cluster 1 in connection with the draft resolution entitled "The African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)", contained in document A/C.1/54/L.17.

The signing ceremony held in Cairo on 11 April 1996 marked the culmination of tireless African efforts to establish a nuclear-weapon-free zone in Africa, as it gave birth to the Pelindaba Treaty. This truly historic event represents a successful formulation of the commitment undertaken over 33 years ago, when the leaders of Africa, in July 1964 in Cairo, adopted at the first ordinary session of the Assembly of Heads of State and Government of the Organization of African Unity the pioneering resolution which declared Africa a denuclearized zone.

We hoped that such genuine regional success would induce other regions to work sincerely towards the same end. In this vein, we recall that the Cairo Declaration adopted on that occasion emphasized that the establishment of a nuclear-weapon-free zone, especially in regions of tension such as the Middle East, enhances global and regional peace and security. Our strong determination in striving to establish a nuclear-weapon-free zone in the Middle East has been strengthened even further by this important achievement in the African continent. A nuclear-weapon-free zone in the Middle East would not only provide an important confidence-building measure among States of the region but would also enhance the security of Africa and the viability of the African nuclear-weapon-free zone.

Action on draft resolutions

The Chairman (*spoke in Spanish*): The Committee will now consider draft resolution A/C.1/54/L.17. Do any delegations wish to explain their position or vote before a decision is taken on draft resolution A/C.1/54/L.17?

I see none.

I call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft resolution A/C.1/54/L.17, entitled "The African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)", was introduced by the representative of Burkina Faso on behalf of the States Members of the United Nations that are members of the Group of African States at the Committee's 19th meeting, on 29 October 1999.

The Chairman (*spoke in Spanish*): The sponsors of draft resolution A/C.1/54/L.17 have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/54/L.17 was adopted.

The Chairman (*spoke in Spanish*): I shall now call upon those delegations wishing to explain their positions on the draft resolution just adopted.

Ms. Menéndez (Spain) (*spoke in Spanish*): First, my delegation welcomes the adoption by consensus of draft resolution A/C.1/54/L.17, entitled "The African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)". Spain has always believed that nuclear-weapon-free zones established on the basis of arrangements freely arrived at among the States of the region concerned constitute an extremely important contribution to strengthening the non-proliferation regime and to efforts leading to nuclear disarmament. More specifically, Spain has unequivocally demonstrated its support for the objectives of the Treaty of Pelindaba, which are a way to formalize the absence of nuclear weapons on the African continent, which is very close to ours, and we hope that the Treaty will enter quickly into force.

My delegation, however, wants the record to show that Spain does not consider itself to be associated with the consensus on operative paragraph 3 of the draft resolution just adopted because it has reservations regarding the content of that operative paragraph. As the report adopted

by consensus last spring at the substantive session of the Disarmament Commission spelled out, the guidelines regarding the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned, each zone is the product of specific circumstances, and we must therefore take into account the diversity of situations existing within each region. Any nuclear-weapon-free zone must conform to a well-defined geographic region.

Thus, after having carefully considered the invitation extended to Spain to be a party to Protocol III of the Treaty of Pelindaba, Spain decided not to sign the Treaty. Had we done so, we would have been agreeing to the establishment of a redundant monitoring regime over parts of Spanish territory that could be deemed to be geographically a part of the zone and that are already subject to controls for all Spanish territory.

The parts of Spanish territory included in the designated geographical area of the Treaty are part of the European Union and are therefore involved in the process of political integration that the European Union represents. From the point of view of security, they belong to the area covered by the North Atlantic Treaty signed in Washington, the Treaty on Conventional Armed Forces in Europe (CFE) and the 1994 Vienna Document on confidence-building measures. They are therefore under the purview of the Organization for Security and Cooperation in Europe (OSCE). For all these reasons, those parts of Spanish territory cannot be included in the area contemplated in the African Nuclear-Weapon-Free Zone Treaty.

Spain's entire territory has been denuclearized since the Treaty of friendship, defence and cooperation was signed with the United States in 1976. The denuclearization of our territory was reiterated in bilateral agreements with the United States of America in 1982 and 1988. Therefore, non-acceptance of storage or installation of Atlantic Alliance nuclear weapons on Spanish territory was included in the authorization given to the Spanish Government by the Spanish Parliament for accession to the North Atlantic Treaty in October 1981. In the referendum held to decide on Spain's entry into the Alliance, the condition that nuclear weapons would not be installed, stored or introduced in Spanish territory was an important feature. There is no intention whatsoever of modifying this policy, as was reiterated in the context of our integration into the military structure of the North Atlantic Treaty Organization, effective 1 January 1999.

All of Spain's nuclear installations fall under the dual control of the International Atomic Energy Agency (IAEA) and the European Atomic Energy Community (EURATOM) in the framework of the general safeguards agreement between European Union non-nuclear-weapon countries and the IAEA. Spain, along with those other European Union countries, has also signed the Additional Protocol to the general safeguards agreement. On 7 May 1999 the Spanish Government approved the *ad referendum* signing of the Additional Protocol for submission to the Spanish Parliament. The process of ratification is well under way and might be finalized before the end of the year.

Spain has ratified the Comprehensive Nuclear-Test-Ban Treaty and is a party to the Convention on the Physical Protection of Nuclear Material and the Convention on Nuclear Safety. It applies all the recommendations on nuclear material contained in IAEA document INFCIRC/225/Rev.4.

Therefore, Spain has undertaken and is already fulfilling a number of commitments that go beyond those contained in the Treaty of Pelindaba and is subject to a system of inspection by both the IAEA and EURATOM. As soon as the Additional Protocol on safeguards comes into force among the 13 non-nuclear-weapon States of the European Union, the safeguards system applied in Spain will exceed the safeguards system established under the Treaty of Pelindaba.

Finally, I should like to point out that my country has the honour of contributing to the IAEA's African Regional Cooperation Agreement for Research, Development and Training Related to Nuclear Science and Technology (AFRA) project, which funds peaceful applications of nuclear energy in Africa.

We listened with the greatest interest to the statement made by the representative of Algeria on behalf of the African Group. My delegation is of course always prepared to listen with the greatest interest to what any delegation has to say, all the more in the case of a friendly country such as Algeria and the African countries generally. I merely wish to say that throughout the negotiations held in recent weeks my delegations has acted in the same constructive spirit as our African counterparts. We continuously kept them abreast of developments in our position and informed them that we intended to dissociate ourselves from operative paragraph 3. Thus, I would say respectfully that the statement made by the representative

of Algeria was a reply *ex ante* to our explanation of position.

Ms. Kunadi (India): My delegation wishes to state its position on the nuclear-weapon-free zone in Africa. We respect the sovereign choice exercised by non-nuclear-weapon States in establishing nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned. This year the Disarmament Commission adopted consensus guidelines on nuclear-weapon-free zones and reaffirmed this principle.

In this context, India has noted the commendable efforts undertaken by the States of Africa which resulted in the Pelindaba Treaty. We remain willing to respond to the express need for commitments for the early realization of the objectives of the nuclear-weapon-free zone in Africa.

Mr. Becher (Israel): Israel joined the consensus on draft resolution A/C.1/54/L.17, entitled "The African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba)", as the draft resolution in general reflects Israel's position on nuclear-weapon-free zones. In our view, a regional nuclear-weapon-free zone should emanate only from within the region concerned and thus should be supported by all States of the region concerned. Such a zone can never be imposed on regional parties.

It is unfortunate that in the draft resolution references to the Middle East are made in two preambular paragraphs. Mentioning a region which has no relevance whatsoever to the title of this draft resolution is in itself a clear contradiction of the basis core principle that the establishment of a nuclear-weapon-free zone is to be based on mutual regional understandings and arrangements freely arrived at among all States of the region concerned. Israel therefore dissociates itself from the references to the Middle East that are mentioned in the draft resolution.

The Chairman (*spoke in Spanish*): The Committee will now take action on draft resolution A/C.1/54/L.31/Rev.1. Does any delegation wish to explain its position or vote before a decision is taken?

There appear to be none.

I call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft resolution A/C.1/54/L.31/Rev.1, entitled "Reducing nuclear danger", was introduced by the representative of India at the Committee's 17th meeting, on 27 October 1999. The sponsors of the draft resolution are listed in the draft resolution itself and in document A/C.1/54/INF/2.

A recorded vote was taken.

In favour:

Algeria, Angola, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Chile, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Ghana, Guatemala, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Andorra, Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Argentina, Armenia, Belarus, Brazil, China, Georgia, Israel, Japan, Kazakhstan, Republic of Korea, San Marino, Solomon Islands, Ukraine, Uzbekistan

Draft resolution A/C.1/54/L.31/Rev.1 was adopted by 90 votes to 42, with 14 abstentions.

The Chairman (*spoke in Spanish*): Does any delegation wish to explain its vote or position on the draft resolution just adopted? There appear to be none. The Committee has thus concluded its consideration of draft resolution A/C.1/54/L.31/Rev.1.

The Committee will now proceed to take action on draft resolution A/C.1/54/L.33. Do any representatives wish to explain their position or vote before a decision is taken? There appear to be none.

I call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft resolution A/C.1/54/L.33, entitled "Convention on the Prohibition of the Use of Nuclear Weapons", was introduced by the representative of India at the Committee's 15th meeting, on 25 October 1999. The sponsors of the draft resolution are listed in document A/C.1/54/L.33.

A recorded vote was taken.

In favour:

Algeria, Angola, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Chile, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Ghana, Guatemala, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Argentina, Armenia, Azerbaijan, Belarus, China, Cyprus, Georgia, Israel, Japan, Kazakhstan, Republic of Korea, Republic of Moldova, Russian Federation, San Marino, Solomon Islands, Turkmenistan, Ukraine, Uzbekistan

Draft resolution A/C.1/54/L.33 was adopted by 89 votes to 40, with 18 abstentions.

The Chairman (*spoke in Spanish*): I shall now call on those representatives who wish to explain their votes or positions.

Mr. Grey (United States of America): As we do each year on this subject, the United States voted "no" on draft resolution A/C.1/54/L.33, entitled "Convention on the Prohibition of the Use of Nuclear Weapons". The United States would never, notwithstanding our commitment to nuclear disarmament, negotiate, approve or sign a convention of the type called for in draft resolution A/C.1/54/L.33. Such a convention is simply not a practical approach to the ultimate goal of nuclear disarmament.

Considerable progress towards that goal has been achieved to date through a realistic, step-by-step process that embraces bilateral, unilateral and multilateral measures. My delegation is convinced that this is the surest road to further progress in the years ahead. The United States has no intention of detouring down the dead-end approach that draft resolution A/C.1/54/L.33 represents.

Mr. Hayashi (Japan): I should like to explain Japan's abstention in the voting on the draft resolution contained in document A/C.1/54/L.33, entitled "Convention on the Prohibition of the Use of Nuclear Weapons".

Japan, which has had the sorrowful experience of atomic bombings, fervently desires that the use of nuclear weapons, which causes incomparable human suffering, will never be repeated. Japan firmly believes that continuous efforts should be made to achieve a world free of nuclear weapons. Having said that, as far as draft resolution A/C.1/54/L.33 is concerned, I should like to state Japan's conviction that the only way for us to realize a world free

of nuclear weapons, in the present international reality, is to achieve steady, step-by-step progress in nuclear non-proliferation and nuclear disarmament. For that purpose we attach particular importance to the early entry into force of the Comprehensive Nuclear-Test-Ban Treaty and renewed and collective efforts by the international community to that end; the early conclusion of the negotiations on a fissile material cut-off treaty; progress in the START process; concrete efforts made by the five nuclear-weapon States for nuclear disarmament; discussions on multilateral steps following a fissile material cut-off treaty; and the strengthening of the Treaty on the Non-Proliferation of Nuclear Weapons regime.

The Chairman (*spoke in Spanish*): The Committee will now proceed to take action on draft resolution A/C.1/54/L.34. I call first on those delegations wishing to explain their position or vote before a decision is taken.

Mr. Al-Ahmed (Saudi Arabia) (*spoke in Arabic*): Saudi Arabia wishes to emphasize the importance of nuclear-weapon-free zones for strengthening the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) regime and efforts for the complete elimination of nuclear weapons and the establishment of a nuclear-weapon-free world. Therefore, my delegation would like to join the sponsors of draft resolution A/C.1/54/L.34.

The Chairman (*spoke in Spanish*): I call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft resolution A/C.1/54/L.34, entitled "Nuclear-weapon-free southern hemisphere and adjacent areas", was introduced by the representative of Brazil at the Committee's 19th, meeting on 29 October 1999. The sponsors of draft resolution A/C.1/54/L.34 are contained in the draft resolution itself and in document A/C.1/54/INF/2. Jamaica has also become a sponsor of the draft resolution.

The Committee will now proceed to the vote on draft resolution A/C.1/54/L.34.

A request has been made for a separate vote on the last three words of operative paragraph 3, "and South Asia". If a majority of the vote is in favour, those three words will remain. If the majority is opposed, those words will be deleted. I hope that is clear.

The Committee will now vote on the last three words of operative paragraph 3 of draft resolution A/C.1/54/L.34, "and South Asia".

A recorded vote was taken.

In favour:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kuwait, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Venezuela, Yemen, Zambia, Zimbabwe

Against:

India

Abstaining:

Bhutan, Cuba, Cyprus, Israel, Mauritius, Micronesia (Federated States of), Myanmar, Pakistan, United Kingdom of Great Britain and Northern Ireland, United States of America

The last three words of operative paragraph 3 of draft resolution A/C.1/54/L.34 were retained by 128 votes to 1, with 10 abstentions.

The Chairman (*spoke in Spanish*): The Committee will now vote on operative paragraph 3 of draft resolution A/C.1/54/L.34 as a whole.

A recorded vote was taken.

In favour:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kuwait, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Zambia, Zimbabwe

Against:

India

Abstaining:

Bhutan, Cuba, Cyprus, Israel, Mauritius, Micronesia (Federated States of), Myanmar, Pakistan, United Kingdom of Great Britain and Northern Ireland, United States of America

Operative paragraph 3, as a whole, of draft resolution A/C.1/54/L.34 was retained by 128 votes to 1, with 10 abstentions.

The Chairman (*spoke in Spanish*): Operative paragraph 3 has been retained in draft resolution A/C.1/54/L.34. The Committee will now vote on draft resolution A/C.1/54/L.34 as a whole.

A recorded vote was taken.

In favour:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

France, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

India, Israel, Micronesia (Federated States of), Russian Federation, Uzbekistan

Draft resolution A/C.1/54/L.34, as a whole, was adopted by 136 votes to 3, with 5 abstentions.

[Subsequently, the delegation of Uzbekistan informed the Secretariat that it had intended to vote in favour.]

The Chairman (*spoke in Spanish*): I now call on those delegations wishing to explain their vote or position on the draft resolution just adopted.

Mr. Grey (United States of America): I have asked for the floor on behalf of France, the United Kingdom and the United States to explain our position on draft resolution A/C.1/54/L.34, on the so-called "Nuclear-weapon-free southern hemisphere and adjacent areas". Our three delegations voted "no" on the draft resolution on this subject once again since, despite continuous consultation and work with the sponsors of the draft resolution, it remains unacceptably vague with regard to our concerns regarding maritime rights of free passage on the high seas. This year the sponsors refused to make any changes at all in the draft resolution, adding to our suspicion that the real interest of the draft resolution is, for some of the sponsors, to lay the basis for a new norm which seeks to restrict such freedoms under certain circumstances.

Mentioning the Convention on the Law of the Sea in the context of the draft resolution, while a positive step, does nothing to alleviate our concerns, since the applicable passages of the Convention are not cited or explicitly applied to the appropriate operative paragraphs of this draft resolution. We believe that the failure of the sponsors to take our concerns properly into account is prima facie evidence of the intent of at least some of the sponsors to limit freedom of the seas. In this regard, there has never been an adequate explanation for the refusal of the sponsors to make the text unambiguous on this point. Without explicit assurances which protect this fundamental freedom, our Governments cannot support this draft resolution.

I wish to emphasize that our vote on this draft resolution should in no way be interpreted as calling into question our firm commitment to the Treaties of Tlatelolco, Rarotonga, Pelindaba and the Antarctic. Nor do we have objections in principle to the establishment of new nuclear-weapon-free zones, which can make an important contribution to both regional and global security provided that they are supported by all States in the region concerned and are embodied in appropriate treaties that include provisions for full-scope International Atomic Energy Agency safeguards.

Mr. Wang Xiaolin (China) (*spoke in Chinese*): China has consistently been in favour of and supported efforts by the countries concerned to establish nuclear-weapon-free zones through voluntary consultations and voluntary agreements. On the basis of this position, China signed and ratified the protocols relating to the Treaties of Tlatelolco, Pelindaba, Rarotonga and the Antarctic. China's consultations with South-East Asian countries concerning the Bangkok Treaty achieved results. China would like as soon as possible to sign the Protocol to that Treaty, which was revised in accordance with the agreed plan.

China is of the view that the establishment of nuclear-weapon-free zones is of great significance for giving impetus to nuclear disarmament, preventing nuclear proliferation and promoting world and regional peace and security. At the same time, treaties on nuclear-weapon-free zones should be consistent with the purposes and principles of the United Nations Charter and with the universally recognized norms of international law. The extent of nuclear-weapon-free zones should not include the continental shelf and the exclusive economic zone, nor should it include areas that are the subject of disputes, with countries outside the zone, regarding territorial sovereignty and maritime rights and interests. The participants in these zones should not fail to carry out the relevant obligations under any pretext, including that of being a member of a military alliance.

The Chinese delegation has noted that draft resolution A/C.1/54/L.34, just adopted, recalls in its sixth preambular paragraph,

> "the applicable principles and rules of international law relating to the freedom of the high seas and the rights of passage through maritime space, including those of the United Nations Convention on the Law of the Sea".

It is our understanding that the draft resolution does not seek to add any new legal obligations apart from those provided for in the existing nuclear-weapon-free zones concerned.

On the basis of the above position and understanding, the Chinese delegation voted in favour of draft resolution A/C.1/54/L.34.

Ms. Kunadi (India): My delegation wishes to explain its vote with regard to operative paragraph 3 of draft resolution A/C.1/54/L.34, which refers to the establishment of a nuclear-weapon-free zone in South Asia.

This proposal goes contrary to the well-established principles regarding the establishment of nuclear-weapon-

free zones to the effect that these zones must be established on the basis of arrangements freely arrived at among the States of the region concerned. This year the Disarmament Commission, by consensus, reaffirmed this principle.

There is no consensus on the establishment of a nuclear-weapon-free zone in South Asia. There is thus a contradiction in operative paragraph 3. This contradiction becomes even more apparent when the reference to a nuclear-weapon-free zone in South Asia is seen in the context of recent developments. In fact, if the sponsors of the draft resolution wish to maintain any semblance of a relation to reality, the draft resolution should explore ways and means of relating the nuclear-weapon-free zones in the southern hemisphere to the new realities in South Asia. India will be responsive to the express need for commitments from these nuclear-weapon-free zones. As we stated last year, pursuing the proposal for a nuclear-weapon-free zone in South Asia has as much validity as would the pursuit of nuclear-weapon-free zones in East Asia, Western Europe or North America. Given the distortions and contradictions in operative paragraph 3, we voted against that paragraph while abstaining on the draft resolution as a whole.

Mr. Shafqat Ali Khan (Pakistan): My delegation wishes to explain its vote on the draft resolution dealing with the establishment of a nuclear-weapon-free zone in the southern hemisphere.

My delegation asked for a separate vote on the three words in operative paragraph 3, "and South Asia", and abstained in the voting on those three words. My delegation also abstained in the voting on operative paragraph 3 as a whole, although it voted in favour of the draft resolution as a whole.

For more than 30 years Pakistan has advocated the need for the establishment of a nuclear-weapon-free zone in South Asia. We believe this approach and this route could prevent a nuclear conflagration in South Asia. But our proposal collapsed because of the events of May last year. We feel that in the light of new realities, when the region has become nuclearized, the concept of a nuclear-weapon-free zone cannot be applied to this region any more.

The Chairman (*spoke in Spanish*): The Committee will now proceed to take action on draft resolution A/C.1/54/L.35.

Does any delegation wish to explain its position or vote before a decision is taken? I see none.

I call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft resolution A/C.1/54/L.35, entitled "Establishment of a nuclear-weapon-free zone in Central Asia", was introduced by the representative of Uzbekistan at the Committee's 21st meeting, on 1 November 1999.

The Chairman (*spoke in Spanish*): The sponsors of draft resolution A/C.1/54/L.35 have expressed the wish that it be adopted by the Committee without a vote.

If I hear no objection, I will take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/54/L.35 was adopted.

The Chairman (*spoke in Spanish*): Does any delegation wish to explain its position on the draft resolution just adopted?

As there appear to be none, the Committee will now proceed to take action on draft resolution A/C.1/54/L.43.

I now call upon those representatives wishing to explain their position or vote before a decision is taken on draft resolution A/C.1/54/L.43.

Mr. Coutts (Chile) (*spoke in Spanish*): Chile attaches a great deal of importance to international law and, in that context, to the advisory opinions of the International Court of Justice. Thus, in relation to the matter before us, we feel that a solid, commanding doctrinal basis is to be found in the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*.

We should recall a number of elements taken into account by the Court. First, unanimously, the Court stated that there is no specific authorization either in international law or in treaties for resort to the threat or use of nuclear weapons.

Secondly, and again unanimously, the Court found that the threat or use of nuclear weapons must be compatible with the provisions of international law applicable to armed conflict, particularly the principles and norms of international humanitarian law, with the concrete obligations undertaken by virtue of treaties and with other commitments relating to nuclear weapons.

Thirdly, again unanimously, the Court found that there is an obligation to undertake in good faith and conclude

negotiations on all aspects of nuclear disarmament under strict international control. Obviously, because of their devastating effects and long range, the use of nuclear weapons can do tremendous damage. That is why there is a linkage between disarmament law and international humanitarian law. We should further bear in mind that according to international law and the provisions of Article 1, *inter alia*, of the United Nations Charter, it is a binding obligation of the international community to maintain international peace and security. To this end, all threat or use of these weapons must be prohibited, for they are a cause of great instability.

Furthermore, the mere possession of these weapons in situations of great hostility can be construed as a threat of the use of force. This is prohibited by Article 2, paragraph 4, of the Charter and article 52 of the Vienna Convention on the Law of Treaties, which confers upon this matter the status of *jus cogens*, or binding obligation that cannot be derogated.

From a purely operational point of view, this draft resolution calls for preventive diplomacy, in keeping with the times, that can create the necessary political frameworks and consolidate political efforts to prevent damaging and irreversible impacts on relations among all the States of the world. Thus, Chile emphatically considers that the advisory opinion of the International Court of Justice is undoubtedly a conceptual frame of reference that cannot be ignored in the effort to build avenues of cooperation based on confidence rather than on the threat of a confrontation that would have a catastrophic effect on all humankind.

Mr. Soutar (United Kingdom): The United Kingdom is committed to the goal of the global elimination of nuclear weapons. We have given this commitment practical expression in the national steps announced following our strategic defence review. We have repeatedly made it clear that, when satisfied with verified progress towards our goal, we will ensure that British nuclear weapons are included in multilateral negotiations.

We welcome the recognition of the importance of obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, including the nuclear-weapon States' obligation on nuclear disarmament, by the International Court of Justice's advisory opinion on the *Legality of the Threat or Use of Nuclear Weapons*, but given that the draft resolution contains highly selective quotations from the Court's advisory opinion, the United Kingdom will abstain in the voting on operative paragraph 1 of draft resolution A/C.1/54/L.43.

In view of this selectivity and on account of the unrealistic call in operative paragraph 2 for multilateral negotiations in 2000 leading to an early conclusion of a nuclear-weapons convention, the United Kingdom will vote against the draft resolution as a whole.

Mr. Benítez Verson (Cuba) (*spoke in Spanish*): As it has done in the case of similar draft resolutions in the past, Cuba will again vote in favour of draft resolution A/C.1/54/L.43.

More than three years have passed since the International Court of Justice announced its historic advisory opinion on the *Legality of the Threat or Use of Nuclear Weapons*. Regrettably, and essentially as a result of the lack of political will of certain nuclear Powers, none of the conclusions of the Court have led to concrete action, including the legal obligation to carry out in good faith and conclude negotiations on nuclear disarmament in all its aspects under strict and effective international control.

In keeping with the importance attached by Cuba to this initiative, this year my country referred a great deal of information to the Secretary-General on efforts made to implement the draft resolution and advance towards nuclear disarmament. In formally introducing the draft resolution to the First Committee on 29 October, the Permanent Representative of Malaysia gave excellent and convincing responses to some of the queries raised by delegations in connection with this text. We hope that his explanations have increased the already broad support traditionally enjoyed by draft resolutions on this subject.

Mr. Al-Ahmed (Saudi Arabia) (*spoke in Arabic*): Because of Saudi Arabia's belief that the continued presence of nuclear weapons constitutes a threat to all humanity, and as a reaffirmation of the advisory opinion of the International Court of Justice of 8 July 1996, my delegation wishes to join the list of sponsors of draft resolution A/C.1/54/L.43.

The Chairman (*spoke in Spanish*): The Committee will now take action on draft resolution A/C.1/54/L.43. I call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft resolution A/C.1/54/L.43, entitled "Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*", was

introduced by the representative of Malaysia at the Committee's 19th meeting, on 29 October 1999. The sponsors of draft resolution A/C.1/54/L.43 are listed in the draft resolution itself and in document A/C.1/54/INF/2. The following countries have also become sponsors of the draft resolution: Bolivia and El Salvador.

A request has been made for separate votes on operative paragraphs 1 and 2.

The Committee will now vote on operative paragraph 1 of draft resolution A/C.1/54/L.43.

A recorded vote was taken.

In favour:

Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Canada, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Russian Federation, United States of America

Abstaining:

Bulgaria, Israel, United Kingdom of Great Britain and Northern Ireland

Operative paragraph 1 of draft resolution A/C.1/54/L.43 was retained by 137 votes to 2, with 3 abstentions.

Mr. Lin Kuo-chung (Secretary of the Committee): The Committee will now vote on operative paragraph 2 of draft resolution A/C.1/54/L.43.

A recorded vote was taken.

In favour:

Algeria, Angola, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Chile, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Georgia, Ghana, Guatemala, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Belgium, Bulgaria, Canada, Denmark, Estonia, Germany, Greece, Hungary, Iceland, Israel, Italy, Lithuania, Luxembourg, Netherlands, Norway, Poland, Portugal, Romania, Russian Federation, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Turkey, United States of America

Abstaining:

Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Belarus, Bosnia and Herzegovina,

Croatia, Cyprus, Czech Republic, Finland, Ireland, Japan, Kazakhstan, Latvia, Liechtenstein, Malta, Republic of Korea, Republic of Moldova, Sweden, Turkmenistan

Operative paragraph 2 of draft resolution A/C.1/54/L.43 was retained by 94 votes to 25, with 22 abstentions.

[Subsequently, the delegation of the United Kingdom of Great Britain and Northern Ireland informed the Secretariat that it had intended to vote against.]

Mr. Lin Kuc-chung (Secretary of the Committee): The Committee will now vote on draft resolution A/C.1/54/L.43 as a whole.

A recorded vote was taken.

In favour:

Algeria, Angola, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Ghana, Guatemala, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Ireland, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Andorra, Belgium, Bulgaria, Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Israel, Italy, Latvia, Lithuania, Luxembourg, Monaco, Netherlands, Poland, Portugal, Romania, Russian Federation, Slovakia, Slovenia, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Armenia, Australia, Austria, Azerbaijan, Belarus, Bosnia and Herzegovina, Canada, Croatia, Cyprus, Finland, Georgia, Iceland, Japan, Kazakhstan, Liechtenstein, Norway, Republic of Korea, Republic of Moldova, the former Yugoslav Republic of Macedonia, Turkmenistan, Uzbekistan

Draft resolution A/C.1/54/L.43, as a whole, was adopted by 98 votes to 27, with 21 abstentions.

The Chairman (*spoke in Spanish*): I shall now call on those representatives who wish to explain their votes or positions.

Mr. Grey (United States of America): As it does each year in voting on this subject, the United States voted "no" on draft resolution A/C.1/54/L.43, entitled "Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*", as well as in the separate votes on paragraphs.

This draft resolution employs the 1996 advisory opinion of the International Court of Justice as a justification to repeat calls made in other resolutions for immediate multilateral negotiations on the time-bound elimination of nuclear weapons. The United States position on this matter has not changed. We oppose this idea because we remain unconvinced that the step-by-step process which is under way encompasses unilateral, bilateral and multilateral efforts and is yielding significant concrete results in the area of nuclear disarmament. This step-by-step process remains, for the time being, the only realistic approach in this highly complex field.

As ongoing unilateral and bilateral efforts continue to make real progress in reducing nuclear weapons, a multilateral role can be played. The long-awaited negotiations in the Conference on Disarmament on the fissile material cut-off treaty should resume in January 2000. Such an agreement is a key element of the international community's nuclear disarmament and non-proliferation objectives. It would be unfortunate if this next logical multilateral step in the nuclear disarmament process were delayed any further. In this context, I find it puzzling that draft resolution A/C.1/54/L.43 makes not one express

mention of the fissile material cut-off treaty, especially since the draft resolution's chief sponsor is one of the newest members of the Conference on Disarmament and has signalled its readiness to commence work on this important treaty.

Draft resolution A/C.1/54/L.43 is deficient in another way. It mischaracterizes article VI of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the document on NPT principles and objectives, which are selectively quoted in the fourth and fifth preambular paragraphs, by omitting crucial references to general and complete disarmament. This omission distorts the article VI obligation in ways that would appear to relieve non-nuclear-weapon States of any disarmament responsibilities. Reference in the thirteenth preambular paragraph and operative paragraphs 1 and 2 to the International Court of Justice's advisory opinion attempt to turn it into a legal edict that requires immediate negotiations and their rapid conclusion in a multilateral forum.

Let me be frank. The International Court of Justice's advisory opinion is simply not binding. In any case, draft resolution A/C.1/54/L.43 misrepresents and distorts its findings. The United States takes very seriously its NPT article VI obligations and reaffirmed them in the context of the 1995 extension of the NPT. The Court's statement that there exists an obligation to bring to a conclusion negotiations on nuclear disarmament does not alter the substance of the article VI duty in any way, since the responsibility to pursue negotiations in good faith inherently involves seeking a successful conclusion to negotiations.

Mr. Lint (Belgium) (*spoke in French*): It is my honour to speak on behalf of the three Benelux countries — Belgium, the Netherlands and Luxembourg — as well as Spain and Greece, regarding the voting on draft resolution A/C.1/54/L.43.

As my delegation has said in past years with regard to the voting on draft resolutions on the same subject, the Benelux countries, Spain and Greece attach great importance to the advisory opinion of the International Court of Justice and have considered it with great attention. But our five countries do not believe that they are authorized to engage in a selective reading of it. The advisory opinion of the Court is a whole that cannot be reduced to the single paragraph reproduced in the draft resolution. The advisory opinion remains indivisible. To select from one paragraph or another from the advisory opinion can only destroy the balance of that whole and wipe out the valuable contribution that the International Court of Justice has provided.

In that spirit, our five countries voted against the draft resolution which, selectively misuses the opinion of the Court.

Mr. Hayashi (Japan): I would like to explain Japan's abstention in the voting on the draft resolution contained in document A/C.1/54/L.43, entitled "Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*".

As I said earlier, in order not to repeat the tragic experience of the use of nuclear weapons, continuous efforts should be made towards a world free of nuclear weapons. Japan believes that because of their immense power to cause destruction, death and injury to human beings, the use of nuclear weapons is clearly contrary to the basic humanitarianism which gives international law its philosophical foundation.

Indeed, the advisory opinion of the International Court of Justice which this draft resolution addresses demonstrates the complexity of the subject. Japan supports the unanimous opinion of the judges of the Court on the existing obligation under international law to pursue nuclear disarmament and to conclude negotiations on that matter in good faith. Japan firmly believes that we must take concrete measures to achieve steady, step-by-step progress in nuclear non-proliferation and disarmament. From this point of view, Japan believes that priority should be given to bringing the Comprehensive Nuclear-Test-Ban Treaty into force as soon as possible; to commencing and concluding the negotiations on a fissile material cut-off treaty; and to commencing multilateral discussions on possible steps that should follow a fissile material cut-off treaty.

In Japan's view, we should pursue such practical steps with intensity rather than rushing to commence negotiations in the year 2000 — which will begin in two months — leading to a nuclear-weapons convention.

Mr. Seibert (Germany): Germany wishes to explain its vote on draft resolution A/C.1/54/L.43, on the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*.

Germany welcomes the commitment to nuclear disarmament with the goal of the complete elimination of nuclear weapons expressed in the draft resolution. Germany observes with concern the stalling of the process of nuclear

disarmament, as shown by the controversies over the Comprehensive Nuclear-Test-Ban Treaty and the Anti-Ballistic Missile Treaty. The German Federal Government cannot, however, support the draft resolution, being of the conviction that the objective of complete nuclear disarmament cannot be achieved by the course proposed in it, but only through a step-by-step process.

The Chairman (*spoke in Spanish*): The Committee will now move on to cluster 2. Does any delegation wish to make a general statement on the draft resolutions contained in cluster 2? There appear to be none.

The Committee will now proceed to take action on draft resolution A/C.1/54/L.19/Rev.1. Does any delegation wish to explain its position or vote before a decision is taken?

Mr. Bold (Mongolia): Mongolia wishes to co-sponsor draft resolution A/C.1/54/L.19/Rev.1, on the Biological Weapons Convention. We are firm advocates of strengthening that Convention. In recent years we have co-sponsored similar draft resolutions, and we intend to do so again this year.

Mr. Boisson (Monaco) (*spoke in French*): I have exactly the same intention, namely, to request that Monaco be inscribed on the list of sponsors of this important draft resolution, A/C.1/54/L.19/Rev.1.

The Chairman (*spoke in Spanish*): I call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft resolution A/C.1/54/L.19/Rev.1, entitled "Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction", was introduced by the representative of Hungary at the Committee's 14th meeting, on 22 October 1999. The sponsors of draft resolution A/C.1/54/L.19/Rev.1 are listed in the draft resolution itself and in document A/C.1/54/INF/2. In addition, the following countries have also become sponsors of the draft resolution: Chile, Haiti, the Russian Federation, Armenia, the Islamic Republic of Iran, Mongolia and Monaco.

In connection with this draft resolution, on behalf of the Secretary-General, I would like to make the following statement:

"By operative paragraph 5 of draft resolution A/C.1/54/L.19/Rev.1, the General Assembly would request the Secretary-General

> 'to continue to render the necessary assistance to the depositary Governments of the Convention and to provide such services as may be required for the implementation of the decisions and recommendations of the Review Conferences as well as the decisions contained in the final report of the 1994 Special Conference, including all necessary assistance to the Ad Hoc Group and the special conference that is to consider the report of the Ad Hoc Group, in accordance with its mandate, as confirmed by the Fourth Review Conference'.

"It should be noted that the Review Conferences and the special Conferences are conferences of States parties to the Convention. As was the case in the past, conferences on multilateral disarmament treaties, such as the Sea-Bed Treaty and the Environmental Modification Convention (EMOD), include in their rules of procedure provisions concerning the arrangements for meeting the costs of the conference, including the sessions of the preparatory committees. Under those arrangements, no additional cost was borne by the regular budget of the Organization.

"Accordingly, the Secretary-General considers that his mandate under draft resolution A/C.1/54/L.19/Rev.1 to render the necessary assistance and required services for the implementation of the decisions and recommendations of the Review Conferences and the special conference has no financial implications for the regular budget of the United Nations and that the associated costs will be met in accordance with the financial arrangements to be made by the Conference of the States parties to the Convention.

"The Committee's attention is drawn to the established practice that all activities related to international conventions or treaties which, under their respective legal instruments, are to be financed outside the regular budget of the United Nations may only be undertaken when sufficient resources to cover the activities in question have been received from the State parties in advance."

The Chairman (*spoke in Spanish*): The sponsors of draft resolution A/C.1/54/L.19/Rev.1 have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/54/L.19/Rev.1 was adopted.

The Chairman (*spoke in Spanish*): Does any delegation wish to explain its position on the draft resolution just adopted? There appear to be none.

The Committee will now move on to cluster 4. I now call on delegations wishing to make general statements on cluster 4.

As there appear to be none, the Committee will now proceed to take action on draft resolution A/C.1/54/L.25.

Does any delegation wish to explain its position or vote before a decision is taken on draft resolution A/C.1/54/L.25?

There being none, the Committee will now take action on the draft resolution.

I call on the Secretary of the Committee.

Mr. Lin Kuo-chung (Secretary of the Committee): Draft resolution A/C.1/54/L.25, entitled "Assistance to States for curbing the illicit traffic in small arms and collecting them", was introduced by the representative of Mali at the Committee's 18th meeting, on 28 October 1999. The sponsors of draft resolution A/C.1/54/L.25 are listed in the draft resolution itself and in document A/C.1/54/INF/2. In addition, the following countries have become sponsors of the draft resolution: Burkina Faso, Haiti, Jamaica and Madagascar.

Mr. Boisson (Monaco) (*spoke in French*): I want to say that my delegation also wishes to become a sponsor of draft resolution A/C.1/54/L.25.

The Chairman (*spoke in Spanish*): The sponsors of draft resolution A/C.1/54/L.25 have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/54/L.25 was adopted.

The Chairman (*spoke in Spanish*): Does any delegation wish to explain its position on the draft resolution just adopted? There appear to be none.

The Committee will now proceed to take action on draft resolution A/C.1/54/L.52. I shall first call on those representatives wishing to explain their position or vote before a decision is taken.

Mr. Forquenot de la Forteile (France) (*spoke in French*): For several years now the First Committee has shown its solidarity with the victims of anti-personnel mines by adopting several draft resolutions aimed at the elimination of such weapons.

This year once again the First Committee will be considering two draft resolutions dealing with this question, one of them introduced by Mozambique, regarding the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, and the other by Sweden, concerning the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects. France will support both these draft resolutions by co-sponsoring them.

France attaches particular importance to the question of the total elimination of anti-personnel mines. France's dedication to this cause was illustrated in 1993 when the French Government requested the beginning of the negotiations that led to the conclusion in 1996 of amended Protocol II, on mines, booby traps and other explosive devices.

That commitment was also demonstrated during the negotiations on the Ottawa Convention, during which France came out in favour of a full and effective ban, proposed the establishment of universal verification procedures and recalled the need for sustained dialogue with all States that own or use anti-personnel mines.

The nature of this commitment has not changed since the conclusion of the Ottawa Convention, and France — being among the first 40 States to have ratified that Convention, by adopting on 8 July 1998 legislation for its application, by establishing a national commission for the elimination of anti-personnel mines that is open to civil society, by proceeding to the destruction of its stocks of anti-personnel mines and, finally, by actively participating in the follow-up process to the implementation of the Convention agreed upon during the First Meeting of States

Parties in Maputo — is contributing to strengthening through specific measures the force of this instrument.

Moreover, we continue to believe that to be truly effective the total ban laid down by the Ottawa Convention must be universal. Obviously, we regret that some States have not been in a position to associate themselves with the movement in favour of a total ban and remain outside the Ottawa Convention. This situation, however, is a fact and it would be irresponsible to pretend that it did not exist.

Among those States that have indicated that they are not able here and now to accede to a full ban, some have nevertheless expressed their will to contribute to the elimination of anti-personnel mines and their support for the objective of a world free of such mines. Rather than hurling epithets at each other or being complacent over the present situation, we believe it is in the interests of all to face up to the reality of these declarations and to ask those States to take new steps in the right direction. Only the proponents of intransigence can win at the game of all or nothing.

It is in that spirit, and because the ban on transfers, already implemented partially or fully by some States, had been understood as a rather simple measure that did not affect the security of States, that France had hoped that the General Assembly would ask States to take measures in this field. It was also in the spirit of openness and dialogue that, during our repeated contacts with numerous delegations involved in the campaign against anti-personnel mines we demonstrated the greatest possible flexibility by submitting various types of proposals, integrating those of our interlocutors and trying above all to give pride of place to pragmatic solutions beyond the principled positions of the parties.

We regret that despite the significant contributions of some delegations, all States have not demonstrated the same requisite flexibility or spirit of realism; some have placed tactical considerations above the shared goal of a world free of anti-personnel mines and, above all, it must be emphasized, above the interests of the victims. Still others, at a time when more than 130 States have committed themselves to a total ban on anti-personnel mines, have refused to undertake any new commitment, even one that is considerably below the level of the obligations of the Ottawa Convention.

This year too, therefore, beyond the traditional draft resolutions on strengthening existing multilateral resolutions, and which we obviously will be supporting, there are no resolutions asking those States that are not bound by these instruments to take specific measures to contribute to the elimination of anti-personnel mines. We regret that this year it has not been possible to recommend any new measures contributing to the achievement of effective progress towards a total and universal ban on anti-personnel mines.

Despite my disappointment at not being able to see this message stated in one loud and clear voice by the General Assembly, I would like, in conclusion, to call upon all States that have not yet subscribed to the total ban on anti-personnel mines to do so soon and to immediately take all necessary measures to implement an effective and permanent ban on transfers of all anti-personnel mines.

The Chairman (*spoke in Spanish*): I would like to remind the representative of France and other delegations that the Bureau has shown a measure of flexibility that should not constitute a precedent, because under the rules of procedure sponsors may not take the floor before action is taken on a draft resolution. With that understanding we shall continue our work.

Mr. Estévez López (Guatemala) (*spoke in Spanish*): I would ask that the name of Guatemala be added to the list of sponsors of draft resolution A/C.1/54/L.52.

The Chairman (*spoke in Spanish*): Does any other delegation wish to explain its position or vote before a decision is taken?

There appear to be none. I call on the Secretary of the Committee.

Mr. Lin Kuo-Chung (Secretary of the Committee): Draft resolution A/C.1/54/L.52, entitled "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects", was introduced by the representative of Sweden at the Committee's 19th meeting, on 29 October 1999. The sponsors of draft resolution A/C.1/54/L.52 are listed in the draft resolution itself and in document A/C.1/54/INF/2. In addition, the following countries have also become sponsors of the draft resolution: Bolivia, El Salvador, Guatemala and Haiti.

In connection with this draft resolution, a note by the Secretariat is contained in document A/C.1/54/L.54.

The Chairman (*spoke in Spanish*): The sponsors of draft resolution A/C.1/54/L.52 have strongly urged the Committee to adopt the draft resolution without a vote. May I take it that the Committee supports that recommendation?

Draft resolution A/C.1/54/L.52 was adopted.

The Chairman (*spoke in Spanish*): I call now on those delegations wishing to explain their positions on the draft resolution just adopted.

Mr. Benítez Verson (Cuba) (*spoke in Spanish*): I simply wish to say that Cuba supported draft resolution A/C.1/54/L.52, just adopted without a vote, because Cuba considers it a matter of the greatest importance that the Committee be able to send a clear political signal about the importance it attaches to the Convention on Certain Conventional Weapons, and in particular amended Protocol II. In our opinion, amended Protocol II is potentially the most effective instrument available to the international community for the sake of resolving the humanitarian problems caused by the indiscriminate and irresponsible use of anti-personnel mines.

The main efforts in this field should be directed specifically towards promoting universal adherence to the Protocol, which is the only universal instrument currently available, since, unlike others, it takes into consideration the legitimate security concerns of States.

Finally, Cuba, through its relevant domestic procedures, is continuing to consider the possibility acceding in due course to amended Protocol II, on Prohibitions or Restrictions of the Use of Mines, Booby Traps and Other Devices.

Mr. Becher (Israel): Israel joined the consensus on draft resolution A/C.1/54/L.52. Israel ratified the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons (CCW) in March 1995 by ratifying both Protocol I and Protocol II of the Convention. Israel also participated in the Review Conference which amended Protocol II of the Convention and adopted Protocol IV, on Blinding Laser Weapons. We are now in the final process of ratifying amended Protocol II, on landmines, and the new Protocol on blinding lasers.

In this context, Israel will participate in the Review Conference on amended Protocol II due to take place in Geneva in December this year. Israel supports the efforts to extend accession to the CCW to as many States as possible, particularly in the Middle East region. Israel's policy stems from its desire to reduce and prevent human suffering and to restrict the use of weapons that have indiscriminate effects. However, we feel that it is necessary to maintain a balance between vital humanitarian concerns on the one hand and legitimate security concerns on the other.

Israel believes that joint action by the international community will prevent suffering caused by the indiscriminate use of anti-personnel landmines and will contribute to mutual trust and confidence. In this context, Israel reiterates its call to all States of the Middle East region to accede to the Conventional Weapons Convention, a step which will enhance the security of the entire area.

The Chairman (*spoke in Spanish*): The Committee has now well and truly completed its deliberations for today.

The meeting rose at 12.45 p.m.